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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 CURTIS SHANE THOMPSON,

10 Petitioner,

Case No. C16-1369-TSZ

11 v.

12 RON HAYNES,

Respondent.

ORDER DISMISSING FEDERAL
HABEAS ACTION

13 The Court, having reviewed the Report and Recommendation of Mary Alice Theiler,
14 United States Magistrate Judge, docket no. 25, to which no objection was timely filed, hereby
15 finds and ORDERS:

16 (1) The Report and Recommendation is APPROVED and ADOPTED;

17 (2) Petitioner's petition for writ of habeas corpus (docket no. 5) and this action are
18 DISMISSED, with prejudice, as untimely;

19 (3) Petitioner's motions for an evidentiary hearing and for appointment of counsel
20 (docket no. 23) are STRICKEN as moot;

21 (4) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
22 United States District Courts, a certificate of appealability is DENIED; and
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ORDER DISMISSING FEDERAL
HABEAS ACTION - 1

(5) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to the Honorable Mary Alice Theiler.

DATED this 3rd day of May, 2017.

Thomas S Zilly

Thomas S. Zilly
United States District Judge